

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

VOCALTAG LTD. and SCR ENGINEERS LTD.,

Plaintiffs,

v.

AGIS AUTOMATISERING B.V.,

Defendant.

ORDER

13-cv-612-jdp

The court staff has been contacted by defendant's counsel seeking to redact portions of the court's opinion and order, Dkt. 289, on the grounds that the opinion contains trade secrets. I have given the parties a very short deadline, 4 p.m. on June 5, to identify portions of the opinion that might legitimately be redacted or otherwise kept from disclosure. The parties are reminded that the court's opinion is not the parties' property; it belongs to the public. *Pepsico, Inc. v. Redmond*, 46 F.3d 29, 31 (7th Cir. 1995). The court's reasoning and the evidence on which it is based are presumptively in the public domain. *Id.*

In this case, defendant filed documents under seal with abandon, without determining whether a party had any legitimate confidentiality interest. For example, defendant sealed and redacted the *entire* report of its non-infringement expert, Dkt. 50, including such innocuous material as the expert's curriculum vitae and the list of materials reviewed. Such a practice does not comply with the stipulated protective order, Dkt. 20, and it provides no indication of what material, if any, might legitimately be shielded from public view.

The court will include in its orders any confidential, sealed information on which it bases a decision, unless a party provides advance notice and justification for not disclosing that information in the court's opinion. Such treatment would be appropriate for information that a

party shows is actually a trade secret or necessary to national security. It will be a tough case to make for any other information.

Entered June 4, 2015.

BY THE COURT:

s/

JAMES D. PETERSON
District Judge